

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN THE MATTER OF:

Kenneth Stewart Hartwig,

Debtor.

Case No. 01-08084-W  
Chapter 7  
Asset Case

FILED  
OCT-3 PM 4:06  
DISTRICT OF SOUTH CAROLINA

**NOTICE OF OPPORTUNITY FOR HEARING AND APPLICATION  
FOR SALE OF ASSETS FREE AND CLEAR OF LIENS**

TO: ALL CREDITORS AND PARTIES IN INTEREST:

YOU ARE HEREBY NOTIFIED on October 2, 2001, Ralph C. McCullough, II, as Trustee in the above-referenced bankruptcy filed this Application for Sale of Assets Free and Clear of Liens in which he proposes to sell the property herein described free and clear of all liens and encumbrances according to the terms and conditions stated below. A copy of the proposed Order Authorizing Sale of Assets Free and Clear of Liens accompanies this Notice and Application.

TAKE FURTHER NOTICE that any response, return and/or objection to the Application should be filed with the Clerk of the Bankruptcy Court and served on all parties in interest within twenty (20) days from the date of this notice.

TAKE FURTHER NOTICE that no hearing will be held on this Application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **November 6, 2001 at 9:30 a.m.**, at the United States Bankruptcy Court, District of South Carolina, 1100 Laurel Street, Columbia, South Carolina. No further notice of this hearing will be given.

TYPE OF SALE: Private Sale with reserve

PROPERTY TO BE SOLD: 1994 Buick Century, Vin No. 6437725

**PROPERTY IS SOLD "AS IS, WHERE IS"**

PRICE: \$2,500.00

APPRAISAL VALUE: \$4,600.00 (Debtor purchased vehicle on September 5, 2001.)

BUYER: Kenneth Hartwig

BUYER IS THE DEBTOR, PLACE AND TIME OF SALE: The Trustee has agreed to receive five (5) equal monthly installments in the amount of \$500.00 from the Debtor for the purchase price. The

Debtor will begin making payments to the Trustee on October 1, 2001 and on the first of each month thereafter until the purchase price is paid in full.

SALES AGENT/AUCTIONEER/BROKER: None

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER, ETC.: None

ESTIMATED TRUSTEE'S COMPENSATION ON SALE: Approximately \$625.00, however Trustee's compensation will not exceed the limits set forth in 11 U.S.C. §326(a).

LIENS/MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY: None

EXPENSES OF SALE: None

DEBTOR'S EXEMPTION: Debtor's \$1,200.00 exemption has been deducted from the fair market value of the property. Therefore, the Debtor will not receive any of the sale proceeds.

PROCEEDS ESTIMATED TO BE RETAINED BY ESTATE: \$2,500.00

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by Private sale. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this Application.

Any party objecting to the trustee's sale must do so in writing, and in accordance with SC LBR 9014-1. All objections should be filed with the Clerk of Court, United States Bankruptcy Court, 1100 Laurel Street, Post Office Box 1448, Columbia, South Carolina 29202, with a copy served on the Trustee, Debtor, as applicable, at the address shown below. A copy of the objection should also be served on the United States Trustee, AT&T Building, 1201 Main Street, Suite 2440, Columbia, South Carolina 29201. **All objections must be filed and served within twenty (20) days from the date of this notice in accordance with the terms recited herein.** If an objection is filed and served, a hearing will be held on the objection at the date and time noted on the Notice of Application and Opportunity for Hearing.

The Court may consider additional offers at the hearing held on an objection to the sale. The Court may order at this hearing that the property be sold to another party on equivalent or more favorable terms.

The trustee or debtor in possession, as applicable, may seek sanctions or other similar relief against any party filing a spurious objection to this notice.

WHEREFORE, Applicant requests the Court to issue an Order Authorizing Sale of Assets Free and Clear of Liens and such other and further relief as may be proper.

REN

Ralph C. McCullough, II, Trustee  
Post Office Box 1799  
Columbia, South Carolina 29202  
(803) 765-2935  
District Court I.D. No.: 2786

Columbia, South Carolina

10/2, 2001.

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